

REMARKS

In an Office Action dated November 19, 2004, the Examiner requested corrections in claims 13 and 28. These corrections and a few minor corrections in claims 14, 27 and 29 are in the claims as submitted herein.

The Examiner rejected claims 1-3, 6, 9-18, 21, and 24-30 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,799,210 (Gentry), and rejected claim 4-5, 7-8, 19-20 and 22-23 under 35 U.S.C. 103(a) as being unpatentable over Gentry in view of U.S. Patent 6,765,912 (Vuong). Applicant is amending the two independent claims, 1 and 16, and submit that the amended claims should be held allowable over the cited prior art.

Gentry teaches arrangements wherein a media gateway controller, which is not connected to any bearer channels (media paths), controls one or more media gateways which are connected to media paths. This creates a highly flexible arrangement for permitting a caller to establish any type of connection.

In contrast, Applicant has disclosed an arrangement wherein a provisioning center initiates and controls the establishment of private line connections. Some of the messages used to control this establishment are, as noted by the Examiner, similar to messages used by Gentry for establishing call connections; this is a necessary consequence of the teachings of Gentry, wherein the media gateway controller controls the establishment of connections.

As pointed out in Applicant's Problem statement, the present arrangements for establishing private line service are costly and cumbersome. Conceivably, the "private line service" suggested by Gentry in the throwaway comment of column 4, line 66 can be provided using Gentry's teachings. This comment simply suggests that Gentry's version of "private line service" can be implemented in essentially the same way as the other services described in the disclosure, without providing any further teaching. However, such "private line service" would have to be initiated by the caller who would provide the called party's identification (e.g., telephone number). Such an arrangement deprives the carrier of control of private line connections, which, from the carrier's point of view is most undesirable; for example, as mentioned in Applicant's Problem statement, the billing mechanism for private line service is different. However, the main point is that

Gentry arguably discloses a provision of "private line service" initiated from a party of the service, and not, as in Applicant's claimed invention, from a Provisioning Center of the telecommunications carrier.

In terms of the specific grounds for the Examiner's rejection, Gentry's media gateway controller is not a provisioning center, but is a controller for controlling the switching actions of the media gateways, and "provides decision-making and coordination between media gateways to facilitate interworking". A provisioning center in contrast initiates actions for the establishment of long term connections, not simply telecommunications calls.

The passages of columns 7 and 8 used by the Examiner to anticipate Applicant's first message (second clause of claim 1) are the following:

Importantly, the virtualizer 104 and the virtual gateways 102 provided thereby can be implemented in the media gateway 12, the media gateway controller 14, a separate network entity, or a combination thereof.

...[I]t will interact with the service broker 104 and the network manager 54 (Fig. 1) if necessary, to identify the media gateway controllers 14 associated with the endpoints 58 identified in the service change request.

Applicant submits that these passages do not teach or even suggest the subject matter of the second clause of claim 1 as amended:

initiating an establishment of said private connection from said provisioning center by sending a first message to said first switch connectable to said first line, said first message comprising an identification of said first line....

Note that the next two sentences of Gentry state:

A virtual gateway 102 is created for the identified group of endpoints 58 and a signaling link is established between the virtual gateway 102 and the corresponding media gateway controller 14. The service change message is then sent to the media gateway controller 14. [Emphasis added.]

Thus, the media gateway controller, cited by the Examiner as being the equivalent of Applicant's provisioning center, receives a change message; in contrast Applicant's provisioning center initiates a change by transmitting a first message.

Thus, Applicant asserts that Gentry does not teach the key first two clauses of claim 1, as amended. Therefore, claim 1 should be held allowable over the cited prior art.

Applicant's other independent claim, claim 16, is an apparatus claim, reciting essentially the same subject matter as claim 1. Therefore, claim 16 should be held allowable for the same reasons as claim 1.

Accordingly, Applicant respectfully submits that the subject matter of claims 1 and 16, as amended, should be held allowable over the cited prior art. Claims 2-15 and 17-30 should be held allowable as being dependent from allowable independent claims 1 and 16, respectively.

Applicant therefore respectfully requests the Examiner to reconsider the rejection, allow claims 1-30 as amended, and pass the application to issue.

If the Examiner feels that a voice or fax contact would help to advance the prosecution of this application, he is invited to contact Applicant's attorney at telephone number 630 469-3575.

Respectfully submitted

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